

IN THE DISTRICT COURT OF OKLAHOMA COUNTY JAN 11 2022
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK

KAREN BALDRIDGE,

125

Plaintiff,

v.

Case No.

CJ-2022-168

OLD NAVY, LLC, and THE GAP, INC.,

Defendants.

PETITION

COMES NOW the Plaintiff, Karen Baldridge, and for her claims for relief against the Defendants, Old Navy, LLC, and The Gap, Inc., alleges and states as follows:

JURISDICTION AND VENUE

1. Plaintiff, Karen Baldridge, is and was at all times relevant herein a resident of Oklahoma County, State of Oklahoma.
2. Defendant, Old Navy, LLC, is and was at all times relevant herein a corporation doing business in Oklahoma County, State of Oklahoma.
3. Defendant, The Gap, Inc., is and was at all times relevant herein a corporation licensed to do business in Oklahoma County, State of Oklahoma.
4. Defendant, Old Navy, LLC, is owned by the parent corporation, Defendant, The Gap, Inc.
5. That the acts and/or omissions complained of herein occurred in Oklahoma County, State of Oklahoma, and therefore, venue is proper.

GENERAL ALLEGATIONS

6. On January 12, 2020, Plaintiff was a customer at the place of business owned and/or operated by Defendant, Old Navy, LLC, at 518 S. Bryant Avenue, Edmond, Oklahoma.
7. Defendant's proprietary cloth or mesh shopping bags supplied for shoppers' use were in disarray and laying about the store.
8. Plaintiff, who has an artificial lower left leg, was unable to feel when her left foot became entangled in the handle of a shopping bag left laying on the floor, and tripped and fell, landing on her right knee.
9. Plaintiff sustained injuries to her right knee, calf, shin, ankle, shoulders, forearms, and hands.
10. Plaintiff's injuries have required several surgeries to date, and will require additional surgeries in April 2022.
11. Plaintiff has sustained lost wages and other financial damages as a result of the incident and her injuries.
12. The ownership, management, employees, agents, and/or servants of the Defendants were aware of, or should have been aware of, the risk to customers that the proprietary shopping bags posed when not properly placed or when in disarray and laying on the floor of the store, posing a tripping hazard to employees and customers.
13. Despite such obvious and known risks to employees and customers, the Defendants acted recklessly and in conscious disregard of those risks. The Defendants' acted with deliberate indifference to the safety of employees and customers.

14. As a direct result of the breach of duty and negligent acts of the Defendants, the Plaintiff sustained permanent injuries, endured mental and physical pain and suffering, and will continue to do so. Plaintiff son has incurred medical bills and will incur future medical bills. Plaintiff has sustained loss of enjoyment of life and companionship. Plaintiff has incurred lost wages and other financial damages, all caused by the negligence of the Defendants and all to the detriment of the Plaintiff.
15. The injuries sustained by the Plaintiff were the direct and proximate result of the negligent actions of the Defendants without any action or omission on the part of the Plaintiff directly thereunto contributing. The Plaintiff did not assume the risk of her injuries.

FIRST CAUSE OF ACTION AND CLAIM FOR RELIEF
NEGLIGENCE

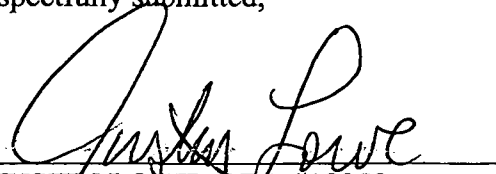
Plaintiff re-alleges and incorporates by reference herein all of the allegations set forth in paragraphs 1 through 15 above as if fully set forth herein below, and further alleges and states as follows:

16. At all times relevant herein and at the time of the incident that gives rise to this action, the Defendants, and their ownership, management, employees, agents, and/or servants were aware of, or should have been aware of, the risk to the customers that the proprietary shopping bags posed when not properly placed or when in disarray and laying on the floor of the store, posing a tripping hazard to employees and customers.

17. Despite such obvious and known risks to employees and customers, the Defendants acted recklessly and in conscious disregard of those risks. The Defendants' acted with deliberate indifference to the safety of employees and customers.
18. The Defendants failed to establish, adopt, implement and/or ensure employees followed any rules, policies, procedures, or code of conduct or protocols to ensure the rights and safety of employees and customers in the store, and specifically in regard to the proper placement of the proprietary shopping bags.
19. The Defendants, by and through their ownership and/or management failed to train and/or educate the employees and further failed to implement policies and/or procedures and/or rules of conduct that would have prevented the injuries to the Plaintiff.
20. As a direct result of the breach of duty and negligent acts of the Defendants, the Plaintiff sustained permanent injuries, endured mental and physical pain and suffering, and will continue to do so. Plaintiff son has incurred medical bills and will incur future medical bills. Plaintiff has sustained loss of enjoyment of life and companionship. Plaintiff has incurred lost wages and other financial damages, all caused by the negligence of the Defendants and all to the detriment of the Plaintiff.
21. The injuries sustained by the Plaintiff were the direct and proximate result of the negligent actions of the Defendants without any action or omission on the part of the Plaintiff directly thereunto contributing. The Plaintiff did not assume the risk of her injuries.

WHEREFORE, premises considered, the Plaintiff respectfully prays for judgment against the Defendant due to the negligence set forth herein above, in a sum in excess of Seventy-Five Thousand Dollars (\$75,000.00), together with interest thereon, the costs of this action, a reasonable attorney fee, and for such other relief as this Court may deem just and proper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Lowe", is written over a horizontal line.

L. JUSTIN LOWE, OBA #18958
3133 N.W. 63rd Street
Oklahoma City, Oklahoma 73116
T: 405.848.7777
F: 405.767.0529
justin@justinlowepc.com
Attorney for Plaintiff

**ATTORNEY LIEN CLAIMED
JURY TRIAL DEMANDED**